

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA)
)
v.) Docket No.: 1:08CR00431-01
)
JABAR WHITE)

**DEFENDANT JABAR WHITE'S OBJECTIONS
TO PRESENTENCE INVESTIGATION REPORT**

COMES NOW Defendant Jabar Lemont White, by counsel, pursuant to Rule 32 of the Federal Rules of Criminal Procedure to state his objections to the Presentence Investigation Report and avers as follows:

PARAGRAPH 9: Jabar White objects to this paragraph to the extent that it suggests that he was involved in selling of drugs to Raymond Darby. Jabar White never met and does not know Raymond Darby. He never sold any drugs to Raymond Darby.

PARAGRAPH 12: Jabar White objects to this paragraph to the extent that it suggests that he was involved in the selling of drugs to Pam Williams. Jabar White never met and does not know Pam Williams. He never sold any drugs to Pam Williams.

PARAGRAPH 14: Jabar White neither knew nor participated in Tony Webster's drug distribution activities in 2004. It was not until 2006 that Jabar White was introduced to Tony Webster and began selling drugs to him.

PARAGRAPH 21: Tony Webster and Jabar White have only known one another since to 2006. Again, it was not until 2006 that Jabar White began selling drugs to Tony Webster.

PARAGRAPH 28: Jabar White did not begin participating in or selling crack cocaine to Tony Webster until the beginning of 2006.

PARAGRAPH 30: Jabar White objects to the statement that co-defendants Tony Webster and John Berryman purchased crack cocaine and powder cocaine from him in quantities ranging from 4.5 ounces to 9 ounces. The quantities of crack and powder cocaine typically sold by Jabar White to Tony Webster and John Berryman were about 4.5 to 5 ounces at a time. Moreover, the frequency of Tony Webster and John Berryman's trips to Philadelphia to purchase either crack or powder cocaine from Jabar White occurred approximately every three to four weeks.

PARAGRAPH 31: As noted previously, the quantities of crack and powder cocaine sold by Jabar White to either Tony Webster or John Berryman typically amounted to no more than 4.5 to 5 ounces at a time. It was only on a few very rare occasions that Tony Webster or John Berryman purchased crack or powder cocaine in excess of 4.5 to 5 ounces.

PARAGRAPH 32: On one occasion, Jabar White stayed at the residence of John Berryman. However on that occasion, Jabar White did not sell any crack or powder cocaine to Tony Webster, John Berryman, or any other person. At no time during his involvement with his co-defendants did Jabar White sell or distribute crack or powder cocaine at the residence referred to as the "Granny House." He is not familiar with this residence.

PARAGRAPH 33: Jabar White objects to the statement that Tony Webster made at least 50 trips from Virginia to Philadelphia to purchase crack cocaine from him. As noted previously, Tony Webster and John Berryman typically traveled to Philadelphia

to purchase crack cocaine approximately every three to four weeks. There were a few occasions when Tony Webster and John Berryman traveled to Philadelphia with greater frequency.

PARAGRAPH 34: Jabar White never sold any drugs on or near the Thomas G. Morton public school. The Thomas G. Morton School is located further down the block and on the opposite side of the street from Mr. White's residence. For the drug transactions that did occur at Mr. White's residence, these transactions occurred inside his home and out of view of the public.

PARAGRAPH 35: As objected to previously, Jabar White does not know and has never met Raymond Darby. He never sold any drugs to Raymond Darby.

PARAGRAPH 36: As objected to previously, Jabar White does not know and has never met Pam Williams. He never sold any drugs to Pam Williams.

Obstruction of Justice - Reckless Endangerment

PARAGRAPH 47: At the time of his arrest, Jabar White was working and not at his home. After speaking with his wife and learning of the law enforcement officials arrest warrant, Jabar White left work and returned home where he voluntarily and freely surrendered to the custody of law enforcement officials serving his arrest warrant.

PART B. CRIMINAL HISTORY

Juvenile Adjudications

PARAGRAPH 51: Jabar White was incarcerated for a brief period at a juvenile detention facility because of a misdemeanor charge for possession of marijuana.

Adult Criminal Convictions

PARAGRAPH 52: At the time of his arrest, Jabar White had approximately 10 small clear plastic bags containing crack cocaine amounting to around 1 gram of cocaine.

PARAGRAPH 53: Jabar White only had crack cocaine at the time of his arrest. He did not possess heroin, marijuana, or any other drug at the time of his arrest. Jabar White successfully obtained his GED and participated in mental health counseling as a requirement of his probation.

Traffic Infractions - Excluded Convictions

PARAGRAPH 54: The Pennsylvania Bureau of Motor Vehicles suspended Jabar White's commercial driver's license for thirty days because of non-payment of a fine for \$60.00. He is making arrangements with his wife to pay the \$60.00.

Financial Condition

PARAGRAPH 78: Prior to his arrest, Jabar White was making regular payments towards his student loan and credit card debt.

Worksheet C (Criminal History)

**Enter the Date Defendant Commenced Participation in Instant Offense
(Earliest Date of Relevant Conduct).**

Although some of the co-defendants in this case began trafficking in drugs in 2005, Jabar White's involvement in the present case did not begin until the beginning of 2006.

WHEREFORE, in consideration of these foregoing objections, and such other matters as may become evident at a hearing hereon, the Defendant Jabar White respectfully requests that this Court grant the relief of correcting the Presentence Investigation Report, and any such other relief as is deemed just and proper.

Respectfully submitted,
JABAR WHITE
By Counsel

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of April 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Steven D. Mellin, Esq.
Office of the United States Attorney
2100 Jamieson Avenue
Alexandria, VA 22314

/s/

Sandra Drewniak